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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,019	04/03/2002	Jurgen Schiemann	22136	5859

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EXAMINER

COLLINS, GIOVANNA M

ART UNIT PAPER NUMBER

3672

DATE MAILED: 04/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/070,019

Applicant(s)

SCHIEMANN ET AL.

Examiner

Giovanna M. Collins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 23-26 is/are rejected.
- 7) ☒ Claim(s) 21, 22 and 27-31 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Claim Objections*

Claims 21-31 are objected to because of the following informalities:

Claims 21-23 recites the limitation "the detent body" in lines 8-9. There is insufficient antecedent basis for this limitation in the claim, as this limitation has not been previously recited.

In claims 21-23, lines 15-16, the phrase "with each shift out of the neutral axial position into an unlocking position being displaced into an unlocking position" is unclear. It appears that the applicant intended to recite - - with each shift out of the neutral axial position being displaced into an unlocking position - -.

Claims 21-23 recites the limitation "the tube insertion end" in lines 16-17. There is insufficient antecedent basis for this limitation in the claim, as this limitation has not been previously recited.

In claims 21 and 22, line 26, the phrase "and thereby disengages" should be changed to - - and thereby disengages; - -.

Claim 23 recites the limitation "the periphery" in line 27. There is insufficient antecedent basis for this limitation in the claim, as this limitation has not been previously recited.

In claim 23, line 27, the phrase " the periphery, said end of the tube insertion end" should be changed to - - the periphery of said end of the tube insertion end - -.

Claim 25 recites the limitation "the roof surfaces" in line 3. There is insufficient antecedent basis for this limitation in the claim, as this limitation has not been previously recited.

Claims 24 and 26-31 depend from claim 31 and likewise are objected to.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 23-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Psajd ('086).

Psajd discloses (see Fig. 1-4) a plug-connectable vacuum cleaner pipe arrangement with a sleeve part (6) which forms a socket into which a pipe insertion end (8) can be axially inserted in an insertion direction and which can be held in a snap-locked condition releasably by locking means (22,32) which on the side of the sleeve part is comprised of a locking body (22) and on the side of the pipe insertion end is formed by a detent recess (32) provided in the pipe insertion end and in which the detent body releasably engages, an actuating slider (24) is axially guided which has a locking surface (26) and is displaceable in two axially opposite axial directions starting from a neutral axial position of its locking surface (26) against respective spring-restoring forces, the locking surface holding the locking body in a locked position in the neutral axial position of the locking surface and with each shift out of the neutral axial position being displaced into an unlocking position, an end of the tube insertion end has a first control surface (see end of element 8) which upon insertion of the tube insertion end into the socket moves the locking body together the sleeve part relative to the locking surface in the pipe insertion direction, thereby unlocking the locking body and freeing it for its releasable snap locking into the detent recess, upon withdrawal of the tube insertion end from the socket is capable of moving

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the locking surface in a withdrawal direction to disengage; the first control surface being conically inwardly over at least part the periphery of said end of the tube insertion end and a side surface of the detent recess forming the second control surface.

Referring to claim 24, Psajd discloses the slider has a locking projection (26) formed with the locking surface.

Referring to claim 25, Psajd discloses the locking projection (26) radially tapers toward the sleeve part and has a frustopyramidal cross-section whereby a roof surface of the locking projection forms the locking surface.

Referring to claim 26, Psajd discloses the slider (24) forms a collar surrounding the sleeve part.

### ***Claim Rejections - 35 USC § 112***

#### ***Allowable Subject Matter***

2. Claim 21-22 would be allowable if rewritten or amended to overcome the objections set forth in this Office action.

Claims 27-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and overcoming the other objections set forth in this Office action.

#### ***Response to Arguments***

3. Applicant's arguments with respect to claims 23-26 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Giovanna M. Collins whose telephone number is 703-306-5707. The examiner can normally be reached on 6:30-3 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J. Bagnell can be reached on 703-308-2151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gmc

  
**David Bagnell**  
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**Technology Center 3670**